

1                                   **UNITED STATES DISTRICT COURT**  
2                                   **DISTRICT OF NEVADA**

3                   UNITED STATES OF AMERICA,

4                                   Plaintiff,

5                                   v.

6                   ROBERT BARBER,

7                                   Defendant.

Case No. 2:20-mj-00895-VCF

**FINDINGS AND ORDER**

8  
9                   Based on the pending Stipulation between the defense and the government, and good  
10 cause appearing therefore, the Court hereby finds that:

11                   1.       The parties desire to continue the preliminary hearing to facilitate pre-  
12 indictment resolution. A plea agreement has been reached between the parties, and has been  
13 submitted for the court's consideration. The Court finds good cause to continue the hearing  
14 to allow the court additional time to decide whether to accept the plea.

15                   2.       Both counsel for defendant and counsel for the government agree to the  
16 continuance.

17                   3.       Defendant is not in custody and agrees to the continuance.

18                   4.       The continuance is not sought for the purposes of delay, but to allow the  
19 parties to reach a potential resolution before the government moves forward with further  
20 prosecution.

21                   5.       Denial of this request could result in a miscarriage of justice, and the ends of  
22 justice served by granting this request outweigh the best interest of the public and the  
23 defendants in a speedy trial.

THEREFORE, IT IS HEREBY ORDERED that the preliminary hearing in the above-captioned matter currently scheduled for November 2, 2021, at 4:00 p.m. be vacated and continued to January 3, 2022 at 4:00 pm in LV Courtroom 3D before Magistrate Judge Cam Ferenbach.

  
HONORABLE CAM FERENBACH  
UNITED STATES MAGISTRATE JUDGE